

FILED\*10 FEB 12 08:06 USDC-ORN

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

MIKE MILLER,

Plaintiff,

v.

AQUA GLASS, INC.,

Defendant.

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Civ. No. 07-3088-CL

**ORDER**

**PANNER, District Judge:**

Magistrate Judge Mark D. Clarke filed a Report and Recommendation, and the matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). Although no objections have been filed, this court reviews the legal principles *de novo*. See Lorin Corp. v Goto & Co., Ltd., 700 F.2d 1202, 1206 (9th Cir. 1983).

I have given this matter *de novo* review. I find no error in the Report and Recommendation.

**CONCLUSION**

Magistrate Judge Clarke's Report and Recommendation (#52) is adopted. Defendant's motion for partial judgment on the pleadings (#46) is DENIED.

IT IS SO ORDERED.

DATED this 4 day of February, 2010.

A handwritten signature in cursive script, reading "Owen M. Panner", written over a horizontal line.

OWEN M. PANNER  
U.S. DISTRICT JUDGE